



Security Council

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GENERAL

S/1995/315
19 April 1995
ENGLISH
ORIGINAL: ARABIC

LETTER DATED 19 APRIL 1995 FROM THE PERMANENT REPRESENTATIVE OF
IRAQ TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE
SECURITY COUNCIL

On instructions from my Government, I have the honour to transmit herewith a letter dated 18 April 1995 from Mr. Mohammed Said Al-Sahaf, Minister for Foreign Affairs of the Republic of Iraq, concerning the continuation of the Turkish raids on northern Iraq.

I should be grateful if you would have my letter and its annex distributed as a document of the Security Council.

(Signed) Nizar HAMDOON
Ambassador
Permanent Representative



Annex

Letter dated 18 April 1995 from the Minister for Foreign Affairs
of the Republic of Iraq addressed to the President of the
Security Council

Further to my letter of 6 April 1995, I have the honour to inform you that Turkish military aircraft are continuing their serious violations of the integrity of Iraqi airspace through large-scale incursions carried out by Turkish armed forces in the northern part of the Republic of Iraq since the morning of 20 March 1995. By way of example, during the period 1 to 10 April 1995, Turkish combat aircraft and military helicopters violated the territorial integrity and airspace of the Republic of Iraq in 22 sorties. A list of these violations is enclosed.

The Government of the Republic of Iraq is bringing these facts to the attention of the Security Council in order to demonstrate the serious situation arising from the infringement by Turkey of the principles of the Charter of the United Nations through its violation of the sovereignty and territorial integrity of Iraq, and the extent of the failure of the international Organization to fulfil its obligations pursuant to the provisions of the Charter.

The Government of the Republic of Iraq reaffirms that Turkey bears full responsibility for its attack against Iraqi territory.

In conclusion, I should like to request you to have this letter distributed as a document of the Security Council.

(Signed) Mohammed Said AL-SAHAF
Minister for Foreign Affairs of
the Republic of Iraq

Enclosure

Violations (sorties) by Turkish combat aircraft and military
helicopters of the territorial integrity and airspace of the
Republic of Iraq and their bombardment of its territory

Date	Time	Number of sorties	Type of aircraft	Area of Iraq
1 April 1995	0926-1412 hrs	9	Combat aircraft and helicopter	Zakho and Amadiyah
4 April 1995	1710-1800 hrs	3	Helicopter	Zakho and Amadiyah
5 April 1995	0925-1205 hrs	3	Helicopter	Dohuk, Zakho and Shaqlawah
6 April 1995	1038-1052 hrs	2	Combat aircraft	Zakho
7 April 1995	1050 hrs	1	Helicopter	Zakho
8 April 1995	0815-1153 hrs	3	Helicopter	Zakho
10 April 1995	1349 hrs	1	Helicopter	Zakho



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LETTER DATED 18 APRIL 1995 FROM THE PERMANENT REPRESENTATIVE OF
THE REPUBLIC OF BOSNIA AND HERZEGOVINA TO THE UNITED NATIONS
ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

We would like to take this opportunity to repeat publicly what we have already undertaken on a private and bilateral basis at several different levels of our Government, and that is to offer our most sincere condolences to the families of the two recently killed French soldiers of the United Nations Protection Force (UNPROFOR) and to the French Government. We do feel betrayed and bitter regarding the inadequate response of the world Powers to the aggression and ethnic cleansing perpetrated against our Republic and people. None the less, we are appreciative for the help that we have received and continue to view it as a desirable contribution to the survival of our people and country. Most importantly, even in our bitterness and intense struggle for survival, we are capable of differentiating between the political leaderships that have lacked the necessary will on the one hand and, on the other, the United Nations personnel who, with their commitment and courage, attempt to mitigate the suffering and this lack of political will.

It is on this issue of differentiation that we would like to dwell for a moment. We have recognized the moral and political flaws of not drawing a distinction between the political powers that have become comfortably numb to the cries and struggles of Bosnia and, conversely, those who are there, in Bosnia and Herzegovina, with us experiencing our pain and fight for survival. Unfortunately, it appears that, on the other hand, those who continue to lack the political will have increasingly resorted to the opposite, that is, equation, to in fact rationalize their lack of political will.

This strategy of equation has been stretched beyond limits, and has become pervasive even in the debate regarding the responsibility for the killings of the two French soldiers, Sergeant Ralph Gunther and Corporal Eric Hardoin. We have no choice in our situation but to accept the position of the UNPROFOR analysis that the physical evidence is inconclusive. What we cannot accept is that the inconclusiveness renders "both sides" somehow equally blameworthy, or worse, the reckless speculation and innuendoes of some political figures allocating guilt to our Government.

The Government of the Republic of Bosnia and Herzegovina gives its assurances that there is no basis to believe that any Bosnian soldiers were involved in this tragic incident.



Potentially "lacking direct physical evidence", responsibility can still be theorized on the basis of a history of behaviour and motive. As to the first point, the Karadžić Serbs have been involved in a systematic campaign of obstruction, harassment and even murder of United Nations personnel. The humanitarian objectives of the United Nations mission run counter to their strategy of terrorizing and targeting civilians. They have also been allowed to believe that they can "bully" and intimidate the United Nations-mandated forces. We cannot absolutely guarantee the behaviour of every individual in our forces; however, the Government of the Republic of Bosnia and Herzegovina has not and will not engage in a similar campaign and will hold accountable individuals who act illegally or in an unauthorized fashion. No Government can hold itself or its citizens to a higher standard.

Needless to say, the Government of the Republic of Bosnia and Herzegovina views all those who deter attacks against our civilian population, especially those erecting anti-sniper barricades or anti-sniper patrols, as our allies in pursuit of the same goal of protecting our civilian population.

So once again we must question the motivations of those making baseless and reckless accusations. Political exploitation of this unfortunate situation must be avoided by all. Two objective conclusions can be drawn:

First, the targeting of two French soldiers in a "safe area" by snipers who have continually murdered civilians is not related to the existence or lack of a cease-fire. Certainly, the lack of a political settlement has been a major factor that continues to make Bosnian civilians, soldiers and United Nations personnel potential targets, but United Nations personnel and Bosnian civilians continue to be targeted regardless of the cease-fire. Two, until such time that the Karadžić Serbs accept the Contact Group peace plan, which the Government of the Republic of Bosnia and Herzegovina has done for almost a year, the security of the Bosnian civilians and those who defend them, including United Nations personnel, will be most assured by the proper resolve to respond to these criminal acts and a commitment to avoid further erosion of the United Nations mandate within the Republic of Bosnia and Herzegovina.

Finally, it would be most absurd for certain Powers to unduly press, or even threaten, observance of a marginal cease-fire and an untenable status quo, while they continue to contend simultaneously that they are not prepared to impose a durable peace, even if it is their very own peace plan. More concretely, if a cease-fire is to be imposed, then why not impose a comprehensive peace plan, the international community's Contact Group peace plan?

May I ask for your kind assistance in distributing the present letter as a document of the Security Council.

(Signed) Muhamed SACIRBEY
Ambassador and Permanent Representative



General Assembly
Security Council

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A/50/161
S/1995/317
19 April 1995

ORIGINAL: ENGLISH

GENERAL ASSEMBLY
Fiftieth session
Item 68 of the preliminary list*
CONCLUSION OF EFFECTIVE INTERNATIONAL
ARRANGEMENTS TO ASSURE NON-NUCLEAR-
WEAPON STATES AGAINST THE USE OR
THREAT OF USE OF NUCLEAR WEAPONS

SECURITY COUNCIL
Fiftieth year

Letter dated 17 April 1995 from the Permanent Representative
of Bulgaria to the United Nations addressed to the
Secretary-General

I have the honour to transmit to you herewith the text of a declaration by the Ministry of Foreign Affairs of the Republic of Bulgaria on the adoption of United Nations Security Council resolution 984 (1995) on security assurances, dated 12 April 1995 (see annex).

I should be grateful if you could have the text of the present letter and its annex circulated as a document of the General Assembly, under item 68 of the preliminary list, and of the Security Council.

(Signed) Slavi Zh. PASHOVSKI
Ambassador
Permanent Representative of
the Republic of Bulgaria to
the United Nations

* A/50/50.

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ANNEX

Declaration on the adoption of Security Council resolution
984 (1995) on security assurances made on 12 April 1995 by
the Ministry of Foreign Affairs of Bulgaria

The Ministry of Foreign Affairs of the Republic of Bulgaria welcomes the adoption by the United Nations Security Council on 11 April 1995 of resolution 984 (1995) and the respective statements made by each of the nuclear-weapon States on the security assurances to non-nuclear-weapon States.

The Ministry of Foreign Affairs notes with appreciation the willingness of the five permanent members of the Security Council in case of aggression with nuclear weapons or the threat of such aggression against a non-nuclear-weapon State party to the Treaty on the Non-Proliferation of Nuclear Weapons to bring the matter to the attention of the Security Council and to provide or support immediate assistance, in accordance with the Charter of the United Nations, to any non-nuclear-weapon State party to the Treaty that is a victim or an object of threat of such aggression. This is a collective response to the aspirations of the States that have forsworn nuclear weapons under the Treaty to receive security assurances from the Security Council and its nuclear-weapon-State permanent members.

Resolution 984 (1995) is a new step in progress on this important issue and an appropriate point of departure for negotiating a future legally binding international instrument on the provision of security assurances to non-nuclear-weapon States.



General Assembly
Security Council

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A/49/890
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19 April 1995

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GENERAL ASSEMBLY
Forty-ninth session
Agenda item 39
THE SITUATION IN BOSNIA AND HERZEGOVINA

SECURITY COUNCIL
Fiftieth year

Letter dated 19 April 1995 from the Chargé d'affaires a.i. of
the Permanent Mission of Bosnia and Herzegovina to the United
Nations addressed to the Secretary-General

I have the honour to transmit a letter dated 19 April 1995 from
H.E. Mr. Hasan Muratović, Minister in the Government of the Republic of Bosnia
and Herzegovina, addressed to you.

May I ask for your kind assistance in distributing the present letter and
its annex as a document of the forty-ninth session of the General Assembly,
under agenda item 39, and of the Security Council.

(Signed) Ivan Z. MISIĆ
Ambassador and
Deputy Permanent Representative

ANNEX

Letter dated 19 April 1995 from Mr. Hasan Muratović, Minister
in the Government of the Republic of Bosnia and Herzegovina,
addressed to the Secretary-General

In connection with the Security Council debate on the extension of the mandate of the United Nations Protection Force (UNPROFOR) in the Republic of Bosnia and Herzegovina, several communications have been forwarded to the Security Council and you by our Government, expressing our concern about the situation of the United Nations mission in our country.

The letter of 29 March 1995 (A/49/880-S/1995/245) from our Permanent Representative in New York, Ambassador Muhamed Sacirbey, was noted in Security Council resolution 982 (1995), which was ultimately adopted on 31 March 1995, and you were asked by the Security Council to respond to the concerns expressed therein, particularly relating to the implementation of the Security Council mandate by UNPROFOR. In the present letter I would like to alert you to the constant erosion of UNPROFOR's mandate on the territory of the Republic of Bosnia and Herzegovina and to the urgency surrounding these concerns, as the situation has deteriorated at an accelerated rate since the adoption of resolution 982 (1995), and we would also like to expand on some of these concerns as well as on certain issues brought forth by the Security Council in its resolution 982 (1995).

We would like to emphasize again that, although we have frequently requested a more responsive UNPROFOR mandate for a Member State such as ours facing aggression and genocide, in the present letter we are focused on the failures to adequately implement the existing mandate. We would also take this opportunity to briefly address the operative issues relating to the mandate as further defined by resolution 982 (1995).

1. Security Council resolution 819 (1993) declared Srebrenica to be a "safe area" while resolution 824 (1993) established new safe areas - Sarajevo, Tuzla, Žepa, Goražde and Bihać - as well as their (immediate) surroundings. With the aim of strengthening their protection and implementing the provisions of the above resolutions, resolution 836 (1993), particularly articles 5, 9 and 10, authorized UNPROFOR, under Chapter VII of the Charter of the United Nations, to defend and deter against attacks against the safe areas and States Members of the United Nations as well as regional organizations and alliances to support UNPROFOR with all necessary measures, including the use of air power, to defend the safe areas.

However, indecision and hesitation by those responsible within the decision-making process to implement the measures envisaged in the mandate has allowed the difficult and tragic situation to persist in all six safe areas, where the aggressor's targeting of civilians goes on unabated. The strangulation of Sarajevo, Goražde, Srebrenica and Žepa continues, as well as the fierce offensive against Bihać. Had our calls been heeded, the Bihać tragedy would have been prevented. We demand that UNPROFOR act in conformity with its obligations with respect to the safe areas, the United Nations and

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regional organizations and that UNPROFOR and relevant regional organizations in the Republic of Bosnia and Herzegovina be structured and organized accordingly.

2. Even after almost three years, UNPROFOR has failed to ensure regular deliveries of humanitarian aid to the jeopardized population, especially in the safe areas, including Sarajevo, although it has been authorized to use all means necessary to that end. The quantity and quality of aid delivered have constantly failed to meet the standard norms of the Office of the United Nations High Commissioner for Refugees (UNHCR). The situation in Bihać has been dramatic for months, while the so-called "blue route" Ploče-Sarajevo-Tuzla remains closed to this day. Airdrops have been abandoned because of threats from Karadžić's Serbs, although this has been the most successful operation to date. Therefore, we demand regular relief deliveries to be ensured for all people in need, and that UNPROFOR do so in conformity with the relevant resolutions. The need for "Operation Airdrop" to resume immediately in order to deliver spring seeds and medicines to all besieged enclaves, as well as food for the area of Bihać, is of the most extreme urgency.

3. In the Agreement on the reopening of Sarajevo airport for humanitarian purposes of 5 June 1992, in numerous Security Council resolutions, particularly in resolutions 752 (1992), 761 (1992) and 764 (1992), it was determined that the Sarajevo airport be under the exclusive authority of the United Nations. In keeping with this, UNPROFOR was bound to ensure the normal functioning of the airport, without succumbing to illegal pressure tactics and accepting conditions of the aggressor forces. However, this has not happened, and this is why the airport has been closed for flights for many days now. Because of this and the road blockade, the supply of items such as food, medicines, Action Plan materials plus other necessities as called for by Security Council resolution 900 (1994) and others, has been critically low, providing for an extremely difficult situation in Sarajevo. Therefore, it is necessary to undertake efficient measures provided for in the UNPROFOR mandate and in the agreements concerning normal operation of the airport and unhindered use of the airport-City route, which is also under UNPROFOR's responsibility, for the movement of humanitarian aid convoys. If UNPROFOR is incapable of securing free passage on the route through the Sierra 4 checkpoint, i.e., Kasindol Street, we demand that the airport-Dobrinja-City route be opened without delay to allow delivery of humanitarian aid. We also demand that UNPROFOR ensure free passage across the airport on the Dobrinja-Hrasnica route for people and goods. This means establishing a lifeline which would greatly contribute to the improvement of the humanitarian situation in Sarajevo and its surroundings. We request that special note be taken of the fact that this lifeline does not cross any territories occupied by Bosnian Serbs and that, in accordance with the relevant resolutions, it is possible for UNPROFOR to provide safety on this route. Only by ensuring the functioning of the routes will UNPROFOR be able to practically assist Sarajevo and fulfil a part of its mandate.

4. For more than a year, UNPROFOR has not succeeded in opening the Tuzla airport for humanitarian operations, again because of hesitation to reject Karadžić's illegitimate threats and conditions. The opening of this airport is of great significance for the entire Tuzla region, and particularly for its large refugee population. It should be noted that UNPROFOR has asked for

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enormous funds, postponing the airport's opening. We demand that the airport be opened without delay.

5. Despite numerous Security Council resolutions obviating support to Karadžić's Serb paramilitary units, including the imposition of harsh sanctions against temporarily occupied territories of the Republic, the dispatching of troops, so-called "volunteers", and deliveries of arms, ammunition, equipment and services, plus numerous other war materials from Serbia and Montenegro, continue. Support of this kind facilitates aggression and induces further disregard of all peacemaking efforts of the international community. This necessitates reinforced control over the borders of the Republic of Bosnia and Herzegovina with Serbia and Montenegro, as well as over our borders with Croatia and that Republic's United Nations Protected Areas (UNPAs). Efficient methods and instruments are available for this.

It is well known that the implementation of sanctions against Serbia and Montenegro has constantly weakened owing to the reluctance of States Members of the United Nations to apply them consistently. Also, new problems have arisen since the opening of the Zagreb-Belgrade highway, because of inadequate organization and inefficiency of the monitoring factors. This has made possible transit of large quantities of fuel and other materials to Serbia and to the temporarily occupied territories of the Republic of Bosnia and Herzegovina and the Republic of Croatia. We believe that it is necessary to re-evaluate the sanctions imposed by resolutions 757 (1992), 820 (1993) and 942 (1994), with the objective of ensuring their strict enforcement.

6. In the Agreement entered into between the Government of Bosnia and Herzegovina and the United Nations on the status of UNPROFOR of 15 May 1993, it was determined that, among other things, the Government would provide UNPROFOR with premises for the work of its personnel free of charge without recompense only "to the extent possible". However, the related UNPROFOR services have not been forthcoming in resolving these matters, as well as accommodation issues in general. The same is the case with the relocation of certain elements of UNPROFOR in Sarajevo to other sites from the locations needing to be vacated for restoration and return to their proper functions. We need to point out here that UNPROFOR has occupied the premises in question illegally, and in contravention of the Agreement. Therefore we request that a dialogue towards settling these problems commence immediately, with the possibility, if necessary, of signing appropriate annexes in accordance with article 51 of the Agreement of 15 May 1993. We request that you appoint an authorized representative with whom we can work towards resolving these problems within 30 days. Otherwise we shall undertake unilateral measures to find a solution.

Our Government holds the view that the reinstatement of UNPROFOR and its mandate only for the territory of the Republic of Bosnia and Herzegovina, on the basis of resolution 982 (1995), has created important preconditions for adequate reorganization and restructuring of UNPROFOR, which would make for a more efficient and consistent implementation of its mandate. This should and may contribute to motivation and further cooperation and coordination with the legal authorities of the Republic and Federation of Bosnia and Herzegovina. At the same time, this implies renunciation of the practice of making concessions, deals and compromises with the aggressor side, because that jeopardizes and

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erodes UNPROFOR's mandate, position and credibility, as well as the credibility of national armies providing contingents for it. We can not further tolerate various agreements and deals between United Nations officials and the Serb aggressor side to the detriment of the efficient implementation of the mandate.

In keeping with your new organization, we expect that the majority of UNPROFOR support structures, including the operation of its headquarters, will soon be relocated to Sarajevo and other parts of the Republic of Bosnia and Herzegovina.

Convinced of you and your associates' full understanding and of your readiness to settle the above-mentioned issues, we expect you, in accordance with paragraph 11 of resolution 982 (1995), to propose appropriate measures for the consistent and efficient implementation of the entirety of UNPROFOR's mandate in the Republic of Bosnia and Herzegovina to the Security Council. We also expect this reorganization to be used as an occasion for re-establishing the credibility of the United Nations in the Republic of Bosnia and Herzegovina. Otherwise, the UNPROFOR mission in the Republic of Bosnia and Herzegovina will be greatly impaired and subject to early termination.

(Signed) Hasan MURATOVIĆ
Minister



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21 April 1995

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Czech Republic, France, Germany, Italy, United Kingdom
of Great Britain and Northern Ireland and United
States of America: draft resolution

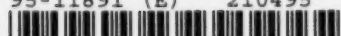
The Security Council,

Recalling all its earlier relevant resolutions, and in particular resolution 943 (1994) of 23 September 1994 and resolution 970 (1995) of 12 January 1995,

Noting the measures taken by the authorities of the Federal Republic of Yugoslavia (Serbia and Montenegro), as described in the annex to the Secretary-General's letter of 31 March 1995 (S/1995/255) and in the annex to the Secretary-General's letter of 13 April 1995 (S/1995/302), to maintain the closure of the international border between the Federal Republic of Yugoslavia (Serbia and Montenegro) and the Republic of Bosnia and Herzegovina with respect to all goods except foodstuffs, medical supplies and clothing for essential humanitarian needs, and noting that those measures were a necessary condition for the adoption of the present resolution,

Concerned, however, about reports suggesting that helicopter flights may have crossed the border between the Republic of Bosnia and Herzegovina and the Federal Republic of Yugoslavia (Serbia and Montenegro), and noting that an investigation of those reports is being undertaken by the Mission of the International Conference on the Former Yugoslavia (ICFY),

Noting with satisfaction that the cooperation of the ICFY Mission with the authorities of the Federal Republic of Yugoslavia (Serbia and Montenegro) continues to be good and stressing the importance of effective closure by the authorities of the Federal Republic of Yugoslavia (Serbia and Montenegro) of the international border between the Federal Republic of Yugoslavia (Serbia and Montenegro) and the Republic of Bosnia and Herzegovina, and of further efforts by them to enhance the effectiveness of that closure, including by the prosecution of persons suspected of violating measures to that end and by sealing border crossing points as requested by the ICFY Mission,



Expressing appreciation for the work of the Co-Chairmen of the Steering Committee of the ICFY and of the ICFY Mission to the Federal Republic of Yugoslavia (Serbia and Montenegro),

Noting that paragraph 9 of resolution 757 (1992) of 30 May 1992 remains in force,

Acting under Chapter VII of the Charter of the United Nations,

1. Decides that the restrictions and other measures referred to in paragraph 1 of resolution 943 (1994) shall be suspended until 5 July 1995;
2. Confirms that commodities and products, including fuel beyond immediate needs for a flight or ferry voyage taking into account internationally recognized safety requirements, shall not be carried on flights and ferry services permitted in accordance with paragraph 1 above, except in accordance with the provisions of relevant resolutions and in conformity with the procedures of the Committee established by resolution 724 (1991) of 15 December 1991; and that if a need is established for the supply of additional fuel for the operation of flights permitted in accordance with paragraph 1 above, the Committee established by resolution 724 (1991) shall consider such applications on a case-by-case basis;
3. Reminds States of the importance of strict enforcement of measures imposed under Chapter VII of the Charter and calls upon all States which allow flights or ferry services permitted in accordance with paragraph 1 above from their territories or using their flag vessels or aircraft to report to the Committee established by resolution 724 (1991) on the controls adopted by them to implement such measures in earlier relevant resolutions;
4. Calls upon all States and others concerned to respect the sovereignty, territorial integrity and international borders of all States in the region;
5. Underlines the importance it attaches to the work of the ICFY Mission, expresses its concern that a shortage of resources hampers the effectiveness of that work, and requests the Secretary-General to report to the Security Council within 30 days of the adoption of the present resolution on measures to increase the effectiveness of the work of the ICFY Mission, including on the question of helicopter flights;
6. Requests Member States to make available the necessary resources so as to strengthen the ICFY Mission's capacity to carry out its tasks, and encourages the authorities of the Federal Republic of Yugoslavia (Serbia and Montenegro) to give additional support for the operation of the ICFY Mission;
7. Calls on the authorities of the Federal Republic of Yugoslavia (Serbia and Montenegro) to cooperate fully with the ICFY Mission, in particular in investigating alleged breaches of the closure of the border, whether by land or by air, between the Federal Republic of Yugoslavia (Serbia and Montenegro) and the Republic of Bosnia and Herzegovina and ensuring the continued closure of that border;

8. Stresses the importance it attaches to a thorough investigation of reports that helicopter flights may have crossed the border between the Federal Republic of Yugoslavia (Serbia and Montenegro) and the Republic of Bosnia and Herzegovina; calls upon the authorities of the Federal Republic of Yugoslavia (Serbia and Montenegro) to comply with their commitment to cooperate fully in that investigation; and requests the Secretary-General to report to the Security Council on the outcome of the investigation;

9. Reaffirms its decision that import to, export from and transshipment through the United Nations Protected Areas in the Republic of Croatia and those areas of the Republic of Bosnia and Herzegovina under the control of Bosnian Serb forces, with the exception of essential humanitarian supplies including medical supplies and foodstuffs distributed by international humanitarian agencies, shall be permitted only with proper authorization from the Government of the Republic of Croatia or the Government of the Republic of Bosnia and Herzegovina respectively;

10. Encourages the authorities of the Federal Republic of Yugoslavia (Serbia and Montenegro) to reinstate the severance of international telecommunication links between the Federal Republic of Yugoslavia (Serbia and Montenegro) and the areas of the Republic of Bosnia and Herzegovina under the control of Bosnian Serb forces which they instituted in August 1994;

11. Requests the Committee established by resolution 724 (1991) to conclude urgently its elaboration of appropriate streamlined procedures and invites the Chairman of that Committee to report to the Security Council as soon as possible on the matter;

12. Also requests the Committee established by resolution 724 (1991) to continue to give priority to its consideration of applications concerning legitimate humanitarian assistance, in particular applications from the International Committee of the Red Cross and from the United Nations High Commissioner for Refugees and other organizations in the United Nations system;

13. Requests that every 30 days and no fewer than ten days before the expiration of the period referred to in paragraph 1 above the Secretary-General submit to the Security Council for its review a report as to whether the Co-Chairmen of the ICFY Steering Committee, on the basis of information made available to them from the ICFY Mission and all other available sources deemed relevant by the ICFY Mission, certify that the authorities of the Federal Republic of Yugoslavia (Serbia and Montenegro) are implementing their decision to close the international border, on land and in the air, between the Federal Republic of Yugoslavia (Serbia and Montenegro) and the Republic of Bosnia and Herzegovina with respect to all goods, except foodstuffs, medical supplies and clothing for essential humanitarian needs, and are complying with the requirements of paragraph 3 of resolution 970 (1995) in respect of all shipments across the international border between the Federal Republic of Yugoslavia (Serbia and Montenegro) and the Republic of Bosnia and Herzegovina; and inform the Council in his report if the Co-Chairmen of the ICFY Steering Committee have received substantiated evidence, from sources deemed relevant by the ICFY Mission, of substantial transshipments of goods, except foodstuffs, medical supplies and clothing for essential humanitarian needs, from the Federal

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Republic of Yugoslavia (Serbia and Montenegro) through the Republic of Croatia to the areas of the Republic of Bosnia and Herzegovina under the control of Bosnian Serb forces in violation of earlier relevant resolutions;

14. Further requests the Secretary-General to report to the Security Council immediately if he has evidence, including from the Co-Chairmen of the ICFY Steering Committee, that the authorities of the Federal Republic of Yugoslavia (Serbia and Montenegro) are not implementing their decision to close the border between the Federal Republic of Yugoslavia (Serbia and Montenegro) and the Republic of Bosnia and Herzegovina;

15. Decides that if at any time the Secretary-General reports that, from sources deemed relevant by the ICFY Mission, the authorities of the Federal Republic of Yugoslavia (Serbia and Montenegro) are not implementing their decision to close the border between the Federal Republic of Yugoslavia (Serbia and Montenegro) and the Republic of Bosnia and Herzegovina or that they are permitting substantial diversion of goods, except foodstuffs, medical supplies and clothing for essential humanitarian needs from the Federal Republic of Yugoslavia (Serbia and Montenegro) through the Republic of Croatia to the areas of the Republic of Bosnia and Herzegovina under the control of Bosnian Serb forces in violation of earlier relevant resolutions, the suspension of the measures referred to in paragraph 1 above shall terminate on the fifth working day following the report of the Secretary-General, unless the Security Council decides to the contrary;

16. Encourages the Co-Chairmen of the ICFY Steering Committee to ensure that the ICFY Mission keep the Government of the Republic of Bosnia and Herzegovina, the Government of the Republic of Croatia and the authorities of the Federal Republic of Yugoslavia (Serbia and Montenegro) fully informed about the findings of the ICFY Mission;

17. Decides to keep the situation closely under review and to consider further steps with regard to measures applicable to the Federal Republic of Yugoslavia (Serbia and Montenegro) in the light of further progress in the situation;

18. Decides to remain actively seized of the matter.



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REPORT OF THE SECRETARY-GENERAL SUBMITTED PURSUANT TO
PARAGRAPH 4 OF SECURITY COUNCIL RESOLUTION 981 (1995)

I. INTRODUCTION

1. In paragraph 4 of its resolution 981 (1995) of 31 March 1995, the Security Council requested me to continue my consultations with all concerned on the detailed implementation of the mandate of the United Nations Confidence Restoration Operation in Croatia, which is known as UNCRO, as set out in paragraph 3 of that resolution, "and to report to the Council not later than 21 April 1995 for its approval". The present report is submitted pursuant to that request.

2. Prior to the adoption of Security Council resolution 981 (1995), I had requested Mr. Thorvald Stoltenberg, Co-Chairman of the Steering Committee of the International Conference on the Former Yugoslavia, acting as my Special Envoy, to carry out consultations on the mandate. My Special Envoy had meetings with representatives of the Government of Croatia and of the local Serb authorities. Following the adoption of resolution 981 (1995), he continued his consultations and met with all concerned, including military authorities on both sides. The consultations have been carried out in close contact with my Special Representative for the Former Yugoslavia, Mr. Yasushi Akashi, and the Force Commander of the United Nations Peace Forces in Zagreb, Lieutenant-General Bernard Janvier.

II. BASIS OF DISCUSSIONS

3. The basis for the consultations has been paragraph 3 of resolution 981 (1995), and the documents referred to therein, namely:

(a) Report of the Secretary-General (S/1995/222 and Corr.1 and 2), particularly paragraph 72;

(b) United Nations peace-keeping plan for the Republic of Croatia (S/23280, annex III);

(c) Relevant resolutions of the Security Council;

(d) Cease-fire agreement of 29 March 1994 (S/1994/367);

(e) Economic agreement of 2 December 1994 (S/1994/1375).

4. The consultations have also been based on the assumption that the deployment of UNCRO and its operations will require the cooperation of all concerned.

III. CONSIDERATIONS

5. Following his consultations with political and military leaders representing the Government of Croatia and the local Serb authorities, my Special Envoy has recommended the implementation of Security Council resolution 981 (1995) along the lines set out below.

6. My Special Envoy has, in pursuance of his mandate, concentrated his efforts on the tasks to be carried out and on the methods by which they would be implemented. In the light of the serious political differences between the Government of Croatia and the local Serb authorities, it is his view that a pragmatic approach is the only way in which the support and cooperation required for implementation of the new Operation's mandate can be obtained.

7. The plan meets the objective of implementing a new mandate with fewer personnel. In the course of his consultations, my Special Envoy repeatedly reminded his interlocutors of the concerns of the troop-contributing countries, whose evaluation of the plan will be decisive for their readiness to contribute personnel to the Operation.

8. My Special Envoy also emphasized that cooperation by the authorities concerned and their continuing commitment to existing agreements are prerequisites for obtaining assistance from the United Nations and for the effective implementation of the tasks assigned to the new Operation.

9. With regard to the new Operation's tasks at the international borders, my Special Envoy has carefully considered the differing views expressed in the course of his consultations. He emphasized the importance of defining precise modalities of implementation which can obtain the cooperation of all concerned, which take into account the safety and security of the troops and which remain strictly within the framework of the tasks assigned.

10. Finally, my Special Envoy has strongly emphasized that the United Nations can only assist in solving the conflict. It is up to the Government of Croatia and the local Serb authorities to make the decisions and pursue the policies required to achieve a peaceful solution. Progress will ultimately require direct contacts and constructive cooperation between those specifically involved.

IV. PLAN FOR THE IMPLEMENTATION OF THE MANDATE OF UNCRO

11. The plan proposed to me by my Special Envoy, following his consultations, is based on the six main tasks identified for UNCRO in paragraph 3 of resolution 981 (1995). They are described in the following subsections.

A. Performing fully the functions envisaged in the cease-fire agreement of 29 March 1994 between the Republic of Croatia and the local Serb authorities (S/1994/367)

Functions

12. In accordance with the functions envisaged in the cease-fire agreement of 29 March 1994 UNCRO will:

(a) Monitor the area between the forward troop deployment lines, which are the lines of separation agreed to in the cease-fire agreement;

(b) Verify that all weapons systems specified in the agreement are deployed in accordance with its provisions. This refers to heavy weapons deployed beyond the 10-kilometre and 20-kilometre lines and in weapons storage sites;

(c) Occupy checkpoints at all crossing-points specified in annex A to the agreement;

(d) Chair the Joint Commissions at all levels;

(e) Conduct the liaison activities required to ensure the implementation of the agreement.

Implementation

13. In order to perform these functions fully, UNCRO will have exclusive control of the area between the forward troop deployment lines and will establish static posts as well as carrying out patrols on foot, by vehicle and by helicopter. UNCRO will also have full freedom of movement to monitor the deployment of troops and weapons systems as specified in the cease-fire agreement.

14. Because of the reduced number of troops available to UNCRO, the commitment of all concerned to the cease-fire agreement will be decisive for UNCRO's ability to perform its functions fully while ensuring the safety of its troops.

15. The functions envisaged in the cease-fire agreement will be implemented in the following way:

(a) Static observation posts and checkpoints will be established by UNCRO in the areas most vulnerable to conflict and at locations where they are required to support patrolling activities and ensure the safety of the monitoring force;

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(b) UNCRO will man all the crossing-points specified in annex A to the cease-fire agreement to ensure access for transit, resupply, humanitarian assistance, etc., as well as the crossing of civilians;

(c) Patrols on foot, by vehicle and by helicopter will be conducted between and around these static UNCRO positions;

(d) Static and mobile patrols as well as helicopter patrols will be carried out in order to monitor compliance on both sides with the provisions of the cease-fire agreement related to specific weapons systems;

(e) Mine clearance will be conducted within the area between the forward troop deployment lines in accordance with established principles; UNCRO personnel will supervise and assist relevant authorities in the clearing of mines;

(f) Civilian police monitors (CIVPOL) will supervise the local police which, under the cease-fire agreement, is obliged to assist UNCRO in the prevention of crime and maintenance of law and order in the area between the forward troop deployment lines;

(g) CIVPOL will patrol the area between the forward troop deployment lines in order to enhance confidence and identify policing requirements;

(h) UNCRO will chair Joint Commissions at all levels;

(i) UNCRO will conduct liaison activities with military and police authorities at all levels.

B. Facilitating implementation of the economic agreement of 2 December 1994 concluded under the auspices of the Co-Chairmen of the Steering Committee of the International Conference on the Former Yugoslavia (S/1994/1375)

Functions

16. In order to advance the process of reconciliation and the restoration of normal life, UNCRO will:

(a) Facilitate and support the opening of transportation networks, as well as of water and energy facilities, within the limits of its resources;

(b) Support the negotiation and implementation of further economic and humanitarian measures which are included in the economic agreement or which may be agreed in subsequent negotiations.

Implementation

17. UNCRO will implement these functions in the following way:

- (a) A security presence will be provided for the repair, opening and functioning of the networks and facilities mentioned above;
- (b) Administrative, technical, logistic and engineering advice and support will be provided;
- (c) UNCRO will supervise mine-clearance activities required to restore, open and operate the networks and facilities mentioned above;
- (d) UNCRO will co-chair with the International Conference on the Former Yugoslavia the Joint Commission established by the economic agreement;
- (e) UNCRO will coordinate the implementation of economic projects agreed in negotiations.

C. Facilitating implementation of all relevant Security Council resolutions, including the functions identified in paragraph 72 of the above-mentioned report (S/1995/222 and Corr.1 and 2)

18. The Security Council resolutions referred to in subparagraph 3 (c) of resolution 981 (1995) are taken to include those relevant to the functioning of UNCRO (freedom of movement, security, self-defence, including close air support) and those directly relevant to the mandate set out in paragraph 3 of that resolution.

Functions

19. In order to maintain conditions of peace and security and to restore confidence, thereby also facilitating the negotiation of a political solution, UNCRO will:

- (a) Provide assistance to needy individuals and communities (Croat, Serb and others), in cooperation with international agencies;
- (b) Monitor the human rights situation of individuals and communities (Croat, Serb and others) to ensure that there is no discrimination and that human rights are protected;
- (c) Facilitate the voluntary return of refugees and displaced persons (Croat, Serb and others) in accordance with established international principles and in coordination with the Office of the United Nations High Commissioner for Refugees (UNHCR);
- (d) Support local confidence-building measures, including socio-economic and reconstruction activities, people-to-people contacts and information exchanges of mutual benefit.

Implementation

20. UNCRO, through military, civilian and CIVPOL personnel, as appropriate, will implement the above-mentioned functions in the following way:

Humanitarian tasks

(a) Humanitarian aid will be distributed in conjunction with UNHCR and other international and non-governmental organizations;

(b) UNCRO will assist medical evacuations, prisoner exchanges, family and humanitarian visits and transfers and coordinate responses to emergency humanitarian situations;

(c) UNCRO will facilitate the primary role of UNHCR with regard to the travel of refugees, through territory in which UNCRO is deployed, to refugee camps and holding centres;

(d) UNCRO will supervise the clearance of mines by the parties when needed to meet humanitarian requirements;

Human rights

(e) UNCRO will contribute to deterring human rights abuse by maintaining an overall presence; closely monitor and co-locate with local police forces; monitor judicial institutions to enhance respect for human rights; seek corrective action in case of human rights abuses; and provide an operational link to human rights bodies;

(f) UNCRO will monitor and protect the welfare and human rights of people in villages of particular sensitivity;

Return of refugees and displaced persons

(g) Appropriate support will be provided to UNHCR for the voluntary return of refugees and displaced persons to their homes in conditions of safety, security and dignity and in accordance with established international principles;

Confidence-building

(h) UNCRO will promote local economic, social and reconstruction projects of mutual benefit and support the negotiation and implementation of such projects;

(i) UNCRO will promote people-to-people contacts, including humanitarian, media, local, commercial and administrative exchanges, and be available to provide security to those activities where appropriate.

- D. Assisting in controlling, by monitoring and reporting, the crossing of military personnel, equipment, supplies and weapons, over the international borders between the Republic of Croatia and the Republic of Bosnia and Herzegovina, and the Republic of Croatia and the Federal Republic of Yugoslavia (Serbia and Montenegro) at the border crossings for which UNCRO is responsible, as specified in the United Nations peace-keeping plan for the Republic of Croatia (S/23280, annex III)

Functions

21. UNCRO will carry out these monitoring and reporting functions at designated border crossing-points. Traffic crossing over the international borders will be monitored for military personnel, equipment, supplies and weapons. All information concerning the movement of military personnel, equipment, supplies and weapons will be reported to the Security Council through the Secretary-General.

Implementation

22. The above-mentioned functions will be implemented in the following way:

- (a) UNCRO will carry out its tasks at designated border crossing-points by deploying with a strength sufficient to perform these tasks and maintain troop safety and security. These deployments will include a number of permanent and temporary border crossing-points;
- (b) All vehicles and personnel will stop at the border crossing-points. They will be visually checked in order to verify whether they carry military personnel, equipment, supplies and weapons;
- (c) In cases where military personnel, equipment, supplies and weapons are detected, UNCRO will give notice that the crossing of such personnel and items would be in violation of Security Council resolutions and will be reported to the Security Council;
- (d) UNCRO will compile any information on the crossing of such personnel and items and report this information to the Security Council through the Secretary-General.

- E. Facilitating the delivery of international humanitarian assistance to the Republic of Bosnia and Herzegovina through the territory of the Republic of Croatia

Functions

23. UNCRO's tasks will be concentrated on providing advice and assistance to agencies involved in international humanitarian deliveries to Bosnia and Herzegovina through the territory of Croatia.

Implementation

24. To implement these functions, UNCRO will:

- (a) Facilitate convoy clearances from the Government of Croatia and from the local Serb authorities;
- (b) Facilitate route clearances from the Government of Croatia and the local Serb authorities;
- (c) Escort humanitarian convoys as required for their security and protection;
- (d) Maintain routes when required and within the limits of its resources.

F. Monitoring the demilitarization of the Prevlaka peninsula in accordance with resolution 779 (1992)

Functions

25. In order to monitor the demilitarization of the Prevlaka peninsula, United Nations military observers will patrol and maintain a permanent presence on the most southerly portion of the peninsula. They will also monitor the area 5 kilometres on either side of the border and report on the presence of any military forces.

26. Full freedom of movement, including freedom of access into and out of the areas, will be essential.

27. This task will continue, as at present, to be performed by unarmed military observers only. It will require the cooperation of both sides and their commitment to demilitarization.

Implementation

28. The functions will be carried out as follows:

- (a) United Nations military observers will patrol and sustain a continuous presence in the vicinity of the Prevlaka/Ostra peninsula;
- (b) United Nations military observers will monitor the area 5 kilometres on each side of the border between BN 898149 and BN 966998 by patrolling;
- (c) Liaison activities will be conducted with the military and civil authorities of the parties at all levels in order to resolve violations or disputes;
- (d) Theatre headquarters (UNPF-HQ) will convene the Joint Inter-State Commission to mediate and resolve any disputes that are beyond the competence of a lower level of authority.

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V. RESOURCE REQUIREMENTS

29. My Special Representative and the Theatre Force Commander at the United Nations Peace Forces headquarters (UNPF-HQ) have analysed the functions and responsibilities enumerated in sections IV.A to F above and assess that an overall total of some 8,750 troops would be required for their implementation, on the assumption that the military and civilian staff of the operation will enjoy the necessary cooperation of all concerned. The troops will be deployed in accordance with operation requirements determined by UNPF-HQ and UNCRO. The requirements for civilian staff, United Nations military observers and CIVPOL, as well as administrative and logistical support elements, will be submitted to the Advisory Committee on Administrative and Budgetary Questions in the context of an overall budget submission for UNPF-HQ, UNCRO, the United Nations Protection Force (UNPROFOR) and the United Nations Preventive Deployment Force (UNPREDEP), in accordance with the recommendation made in paragraph 84 of my report of 22 March 1995 (S/1995/222). It is expected that the strength of the United Nations forces currently in Croatia can be reduced to the proposed level of 8,750 and their deployment completed by 30 June 1995.

VI. STATUS-OF-FORCES AGREEMENT

30. In accordance with paragraph 11 of resolution 981 (1995), discussions have been pursued with the Government of Croatia concerning a status-of-forces agreement for the presence of UNPF-HQ, UNCRO and, for a transitional period, UNPROFOR, on its territory, as well as for the use of Croatian territory for the support of UNPROFOR in Bosnia and Herzegovina and UNPREDEP in the former Yugoslav Republic of Macedonia. Difficulties have arisen as a result of demands by the Croatian authorities which are incompatible with the model status-of-forces agreement (A/45/594 of 9 October 1990) and with Security Council resolutions 908 (1994) and 981 (1995).

31. On 1 April 1995, my Special Representative wrote to the President of Croatia referring to paragraph 11 of resolution 981 (1995) and requesting an early meeting of representatives to finalize the matter. Following a meeting on 10 April, UNPF-HQ forwarded a draft agreement to the Croatian authorities on 14 April. A further meeting is expected to take place in the course of the current week.

VII. OBSERVATIONS

32. In spite of serious differences of approach, my Special Envoy's assessment is that there is enough common ground between the Government of Croatia and the local Serb authorities to make it possible to implement resolution 981 (1995). The cease-fire agreement provides a level of stability on the basis of which negotiations and efforts of reconciliation can take place. The economic agreement will, when fully implemented, provide an essential contribution to the normalization of life and the restoration of confidence. These two agreements are pillars of common interest which can reinforce the future process of reconciliation and normalization for the people living in this area. In this regard, I lay special emphasis on measures intended to provide protection and to

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advance the process of reconciliation as well as the new Operation's ability to promote such measures.

33. The situation on the ground is volatile. Without the requisite sense of responsibility on the part of all concerned, it could quickly deteriorate further. However, in spite of these circumstances and the serious political differences which continue to exist, both the Government of Croatia and the local Serb authorities are aware that the alternative to this plan would be more violence and a resumption of war.

34. As was to some degree the case in February 1992 when UNPROFOR was originally established, the plan set out above does not have the formal acceptance and full support of either the Government of Croatia or the local Serb authorities. The risk therefore remains that either or both sides will fail to cooperate with the United Nations in its implementation. In these circumstances, it is not without misgiving that I present these proposals to the Council. On the other hand, the proposed plan provides for a pragmatic implementation of paragraph 3 of Security Council resolution 981 (1995) and the alternative to its adoption would be the withdrawal of United Nations forces and the resumption of war. If the two sides seriously wish to avoid a renewal of the conflict, it is up to them to provide the necessary conditions for the new Operation to discharge its responsibilities successfully.

35. I therefore recommend that the Security Council approve the arrangements set out in the present report and authorize the deployment of UNCRO to implement them.



Security Council

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S/1995/321
20 April 1995
ENGLISH
ORIGINAL: ENGLISH AND RUSSIAN

LETTER DATED 20 APRIL 1995 FROM THE PERMANENT REPRESENTATIVES
OF THE RUSSIAN FEDERATION AND SWEDEN TO THE UNITED NATIONS
ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

At the request of the Co-Chairmen of the Minsk Conference of the Organization for Security and Cooperation in Europe, we have the honour to transmit their letter of 20 April 1995 addressed to you (see annex).

Please have the text of the present letter and its annex circulated as a document of the Security Council.

(Signed) P. OSVALD
Permanent Representative of
Sweden to the United Nations

(Signed) S. LAVROV
Permanent Representative of
the Russian Federation to
the United Nations

Annex

Letter dated 20 April 1995 from the Co-Chairmen of the Minsk Conference of the Organization for Security and Cooperation in Europe addressed to the President of the Security Council

Pursuant to paragraph 8 of Security Council resolution 884 (1993), after consultations with the Chairman-in-Office of the Organization for Security and Cooperation in Europe (OSCE) and with reference to our letter of 21 March 1995, we wish to provide the Security Council with additional information on the efforts made in the framework of the OSCE Minsk process for the peaceful settlement of the Nagorny Karabakh conflict.

With the decision of 6 December 1994 by the Heads of State or Government at the OSCE Budapest Summit meeting on intensification of OSCE action in relation to the Nagorny Karabakh conflict, the process towards a lasting solution of this tragic conflict entered a new stage. The Summit declared the political will of OSCE States to provide, with the adoption of an appropriate resolution by the Security Council, a multinational OSCE peace-keeping force following agreement among the parties for a cessation of the armed conflict.

The cease-fire, in effect since 12 May 1994, is still largely being respected, though several incidents have lately occurred both on the border between Armenia and Azerbaijan and along the line of contact. The cease-fire has been reconfirmed on a number of occasions and the parties have repeatedly committed themselves to respect it until a political agreement on the cessation of the armed conflict has been attained. Mechanisms to further strengthen the cease-fire through direct contacts and other measures to avoid escalation of incidents were agreed on 6 February 1995. These mechanisms are being implemented by the parties but certain specific arrangements remain to be established.

The continued observance of the cease-fire and the repeatedly reaffirmed intention of the parties to abide by it are encouraging. However, the present situation of "neither war nor peace" entails the risk of an unsatisfactory, and even dangerous, freezing of the situation. A continued lack of progress in the political process may indeed endanger the cease-fire.

Following the Budapest decision and the appointment by the OSCE Chairman-in-Office of the Co-Chairmen of the Minsk Conference, an agreed basis for further negotiations was elaborated and presented to the parties to the conflict. The agreed basis was thereafter discussed at a round of negotiations between the parties held in Moscow in February. A new round of negotiations planned for 20 to 22 March 1995 in Stockholm was postponed owing to preconditions set by one party on the question of the status of the parties in the negotiation process, including in the Minsk Conference. As a result of efforts by the Co-Chairmen, supported by bilateral contacts and the OSCE Chairman-in-Office, the parties have subsequently stated their readiness to resume negotiations without preconditions.

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The parties must without further delay enter into such negotiations in good faith, and clearly demonstrate a willingness to make mutual concessions on essential substantive issues and show a readiness to put aside questions of procedure. It should be recalled that the Security Council, in its resolution 884 (1993) of 12 November 1993, urged the parties to seek a negotiated settlement within the context of the OSCE Minsk process.

A substantial number of OSCE participating States have earlier stated their readiness in principle to contribute to an OSCE multinational peace-keeping force. The High-level Planning Group established by the Budapest decision is now actively elaborating recommendations for the OSCE Chairman-in-Office on planning and preparations for such a force. The Minsk Group is cooperating with the Chairman-in-Office in the work on the mandate and terms of reference of the peace-keeping force.

There is, however, presently a risk that the willingness of OSCE States to contribute to a peace-keeping force may be adversely affected by the lack of concrete progress in the negotiation process.

It is of great importance to the peace process that the planning and preparatory work be concluded and that the peace-keeping operation be made credible, assuring the parties and the contributing States of an effective and secure implementation of the agreement and of a close linkage to the political process towards a comprehensive settlement.

Continuing political support from the Security Council for the possible deployment of an OSCE peace-keeping force as well as continued United Nations technical advice and expertise would be required if such an operation is to be carried out. We are grateful for the assistance the United Nations Secretariat has afforded the High-level Planning Group in its work.

We are aware that this conflict has deep roots and that the suffering and bloodshed have caused profound mistrust. This mistrust will not be quickly overcome and it will take time to rebuild confidence. With the aim of achieving a political agreement, we continue to pursue intermediary steps, in particular the implementation of agreed confidence-building measures as well as measures to strengthen the cease-fire.

The Co-Chairmen have sought to find solutions to the problem of civilian detainees and prisoners of war. The release of approximately 200 such detainees has been carried out, principally through the assistance of the International Committee of the Red Cross (ICRC). However, according to the ICRC, over 200 persons remain detained by the parties under sometimes very harsh conditions. The preliminary agreement which was reached on 11 February 1995 for the immediate release of all wounded, sick and persons over 50 years of age has been implemented by only one party. Earlier commitments to release all women and minors under 16 years of age also remain to be implemented.

The Co-Chairmen, together with parliaments of States members of the Minsk group and non-governmental organizations in the region, have strongly urged the parties to live up to these commitments. The parties have also been requested

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to release all prisoners and detainees on an "all-for-all" basis before the anniversary of the cease-fire on 12 May.

Owing to the reluctance of one of the parties, the understanding within the Minsk Group of 1 December 1994 to establish an OSCE presence in the region through a personal representative of the Chairman-in-Office and field representatives has not yet been implemented.

A seminar on legal aspects of the conflict is envisaged to take place later this year. Such a seminar would contribute not only to exploring ways to settle the conflict but also to promoting confidence between the parties. The seminar will be sponsored by the Co-Chairmen and the OSCE Office for Democratic Institutions and Human Rights.

Though the guns of the conflicting parties are now silent, more than 1 million refugees and displaced persons continue to suffer. A renewed, consolidated United Nations inter-agency appeal for humanitarian assistance to the Caucasus has recently been launched. As Co-Chairmen, we are appealing to all States to respond in a generous manner to these urgent humanitarian needs. The provision of assistance to the refugees and displaced persons not only constitutes a humanitarian act, but also may dispel mistrust and promote the process towards peace.

As from 22 April 1995, Under Secretary of State Heikki Talvitie of Finland will replace Ambassador Jan Eliasson as Co-Chairman of the OSCE Minsk Conference. Sweden has declared its intention to continue to participate in the efforts to achieve a political solution to this conflict.

(Signed) Jan ELIASSON
Co-Chairman of the
OSCE Minsk Conference

(Signed) Valentin LOZINSKY
Co-Chairman of the
OSCE Minsk Conference



Security Council

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21 April 1995

ORIGINAL: ENGLISH

LETTER DATED 18 APRIL 1995 FROM THE SECRETARY-GENERAL
ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

In my report to the Security Council of 28 March 1995 on the situation in Somalia (S/1995/231), submitted in pursuance of Security Council resolution 954 (1994), I indicated that I expected to be in a position to take a decision by mid-April 1995 about the level and mandate of a continued United Nations political presence in Mogadishu. I further indicated that the size and mandate of that presence would depend on whether the Somali parties wanted the United Nations to play a facilitating or mediating role and were ready to cooperate with it, and that its location should be in Mogadishu, the security situation there permitting.

In the presidential statement of 6 April (S/PRST/1995/15), the Security Council welcomed my intention to continue a small political mission, should the Somali parties so wish, to assist them in coming together in national reconciliation. In this connection, the members of the Council may wish to take note of the enclosed press release which was issued by the Somali National Alliance on 11 April 1995. I shall stay in touch with the parties with a view to overcoming reservations such as those expressed therein.

In order to determine whether the present situation in Mogadishu is sufficiently secure to allow for the establishment of an office in that location, I recently dispatched a security assessment mission there. That mission's report is currently under preparation and the Council will be apprised of its findings as soon as they are available.

Meanwhile, I have concluded that the retention of a full-time Special Representative at the under-secretary-general level cannot be justified at the present time in view of the limited possibilities for United Nations political efforts related to Somalia. Mr. Victor Gbeho is therefore preparing to return to his home country. Instead, I have decided to establish a small political office, headed by a representative at the D-2 level and assisted by two Professional officers and a limited number of support staff. The office will monitor the situation in Somalia and keep contact with the parties concerned to the extent possible. The office will operate temporarily from Nairobi but will be relocated to Mogadishu as soon as circumstances permit.

S/1995/322
English
Page 2

I should be grateful if you could bring these matters to the attention of the members of the Security Council.

(Signed) Boutros BOUTROS-GHALI

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Annex

Press release by the Somali National Alliance dated 11 April 1995

The death and destruction which resulted from the foreign interference in Somalia in which tens of thousands of innocent Somalis lost their lives and billions of dollars' worth of public and private property was destroyed has left in the minds of the Somali people painful memories which may take a long period of time to heal.

As a consequence, no Somali with a sense of nationalism, or who wishes for the revival of the United Nations reputation in this country, can accept that the United Nations now opens an office in Somalia.

It is quite strange that the United Nations in general and the Secretary-General in particular claim that they want to help reconciliation in Somalia when they themselves created most of the rival factions in Somalia and supplied them with arms and money to finance their war activities.

We believe that the office decided by the United Nations to be opened in Somalia is intended to perpetuate its previous activities to finance prolonged civil wars and instigate further hostilities and conflicts in Somalia.

Substantial progress has been made in Somalia as far as peace and reconciliation is concerned since the final departure of the United Nations Operation in Somalia (UNOSOM) and the Somalis have not missed them. Peace and security have returned to the capital, and the wanton killings and banditry have ended.

United Nations activities in Somalia were correctly defined in a simple statement by the representative of the European Union in Somalia, Mr. Illing, who visited Mogadishu three weeks after UNOSOM's departure:

"The best that the United Nations did for Somalia was to decide to leave that country", Mr. Illing was quoted as saying. He further stated that "Just two weeks after the departure of UNOSOM the Somalis have made more progress than in the two and a half years of the United Nations Operation in Somalia".

Because of all the above-mentioned facts as well as many others, it is even inappropriate to talk about the United Nations political return to Somalia for the time being, let alone for it to re-establish an office here.

The Somali people need neither the United Nations nor any other foreigners to mediate between them in their reconciliation process; they are capable of sorting out their political differences and achieving their own reconciliation and will not accept any further interference in their own political affairs.



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S/1995/323
21 April 1995

ORIGINAL: ENGLISH

LETTER DATED 21 APRIL 1995 FROM THE PRESIDENT OF THE
SECURITY COUNCIL ADDRESSED TO THE SECRETARY-GENERAL

I have the honour to inform you that your letter dated 18 April 1995 (S/1995/322) concerning a continued United Nations political presence in Somalia and the establishment of a small political office to monitor the situation there has been brought to the attention of the members of the Security Council. They note the information contained in the letter and welcome the decision contained therein.

(Signed) Karel KOVANDA
President of the Security Council



General Assembly
Security Council

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21 April 1995

ORIGINAL: ENGLISH

GENERAL ASSEMBLY
Fiftieth session
Item 81 of the preliminary list*
MAINTENANCE OF INTERNATIONAL SECURITY

SECURITY COUNCIL
Fiftieth year

Letter dated 20 April 1995 from the Chargé d'affaires a.i. of
the Permanent Mission of Yugoslavia to the United Nations
addressed to the Secretary-General

I have the honour to transmit the statement of the Federal Ministry of Foreign Affairs of the Federal Republic of Yugoslavia dated 19 April 1995 concerning the forcible seizure by the Albanian authorities of land owned by the people of the Serbian and Montenegrin minorities.

I should be grateful if you would have the present letter and its annex circulated as an official document of the General Assembly, under agenda item 81, and of the Security Council.

(Signed) Dragomir DJOKIĆ
Ambassador
Chargé d'affaires a.i.

* A/50/50.

ANNEX

Statement of the Federal Ministry of Foreign Affairs of the
Federal Republic of Yugoslavia dated 19 April 1995

The Federal Ministry of Foreign Affairs has received with indignation the information that on 10 and 11 April 1995 the Albanian authorities continued to forcibly seize the land owned by the people of the Serbian and Montenegrin minorities, the so-called Vračani and Podgoričani, from the villages of Stari and Mladi Borić, where they have lived for centuries. Particularly alarming is the fact that the Albanian police violently used force, arrested 15 members of the Serbian and Montenegrin minorities and brought them to the Skadar police station, where they were exposed to brutal physical and mental maltreatment and torture. There were women among the victims, but the hospital in Skadar refused to examine them and issue a medical report on their injuries. All this is a drastic example of a massive violation of basic human, civil and minority rights.

The land forcibly seized from its legal Serb and Montenegrin owners has been given by the Albanian authorities to Mallisori Albanians from the village of Stara Stoja, who have settled this area recently, leaving their old settlements in the mountains. The official explanation of the Albanian authorities, that this is being done as a result of administrative reorganization, and that Serbs and Montenegrins will be given other land, is totally unacceptable and quite cynical. This act of the Albanian authorities is a function of the well-known policy of the forcible change of the national composition and of the breaking up of homogeneous ethnic settlements of the Serbian and Montenegrin population of Vjaka, i.e., in the belt along the Yugoslav-Albanian border.

The Federal Ministry of Foreign Affairs wishes to recall with concern that on 6 and 8 June 1994 the Albanian authorities also tried to seize forcibly about 60 hectares of the most fertile land and to expel the members of the Serbian and Montenegrin minorities from the same villages in that area. They have received no reply yet to their written complaints addressed to the President of the Republic, the Prime Minister and the President of the Parliament of Albania several months ago, which is yet another example of arbitrariness and illegitimacy.

The latest events prove that the official Albanian authorities continue the policy of national discrimination, the policy of systematic pressure, threats and intimidation against the members of Yugoslav minorities aimed at their forcible resettlement and assimilation.

The Federal Ministry of Foreign Affairs expresses its great concern over, and condemnation of, such policy of Albania whereby it grossly violates the fundamental principles of the Charter of the United Nations and the Organisation for Security and Cooperation in Europe (OSCE), as well as basic human rights - the right to freedom, residence and to private property - which is in flagrant contradiction with its declared advocacy of respect for human rights and the development of democracy. The minority policy of Albania pursued vis-à-vis

Serbs, Montenegrins and Goranci is based on a complete denial of their national, human and civil rights. There is an evident discrepancy between the Albanian policy of incitement of the separation of the Albanian national minority in Kosovo and Metohija, on one hand, and Albania's denial of all rights to Yugoslav minorities in Albania, on the other.

The Federal Ministry of Foreign Affairs has noted with regret that international human and minority rights organizations and institutions, such as the United Nations Commission on Human Rights, OSCE, the Council of Europe and other forums and non-governmental organizations have tolerated Albania's policy in this field. The Federal Republic of Yugoslavia expects all international factors to accord the most serious attention to the issue of the position of the members of Yugoslav minorities in Albania and to call on Albania to respect the principles which it supports in words and which are binding on it by virtue of its membership in international organizations.

The Federal Ministry of Foreign Affairs calls on the Albanian authorities to ensure normal conditions of life to the members of Serbian, Montenegrin and other Slav minorities and to revoke its decision on forcible seizures of land and the resettlement of Vračani and Podgoričani. The Federal Republic of Yugoslavia, which guarantees to Albanian and other minorities all rights under the highest international standards, will continue to make resolute efforts towards respecting the human and national rights of Serbian and Montenegrin minorities and Goranci in Albania.



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Draft resolution

The Security Council,

Recalling its resolution 955 (1994) of 8 November 1994,

Having decided to consider the nominations for Judge of the International Tribunal for Rwanda received by the Secretary-General before 7 April 1995,

Establishes the following list of candidates in accordance with Article 12 of the Statute of the International Tribunal for Rwanda:

Mr. Lennart ASPEGREN (Sweden)
Mr. Kevin HAUGH (Ireland)
Mr. Leity KAMA (Senegal)
Mr. T. H. KHAN (Bangladesh)
Mr. Wamalungwe MAINGA (Zambia)
Mr. Yakov A. OSTROVSKY (Russian Federation)
Mr. Navanethem PILLAY (South Africa)
Mr. Edilbert RAZAFINDRALAMBO (Madagascar)
Mr. William H. SEKULE (United Republic of Tanzania)
Ms. Anne Marie STOLTZ (Norway)
Mr. Jiri TOMAN (Czech Republic/Switzerland)
Mr. Lloyd G. WILLIAMS (Jamaica/Saint Kitts and Nevis)





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S/1995/325*
24 April 1995

ORIGINAL: ENGLISH

Draft resolution

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Recalling its resolution 955 (1994) of 8 November 1994,

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* Reissued for technical reasons.



Security Council

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GENERALS/1995/326
24 April 1995

ORIGINAL: ENGLISH

LETTER DATED 24 APRIL 1995 FROM THE CHARGE D'AFFAIRES A.I. OF
THE PERMANENT MISSION OF YUGOSLAVIA TO THE UNITED NATIONS
ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I am writing to you concerning the letter of Mr. Mate Granić, Deputy Prime Minister and Minister for Foreign Affairs of the Republic of Croatia, addressed to you on 13 April 1995 (S/1995/301, annex), and, upon instructions of my Government, I have the honour to state the following.

In an attempt to disguise the deep involvement of its regular army in the military operations against the Serbs in the United Nations Protected Areas (UNPAs) and in neighbouring Bosnia and Herzegovina, as well as its flagrant violation of Security Council resolution 713 (1991) on the arms embargo in the former Yugoslavia, Croatia continues with absurd and malicious accusations against the Federal Republic of Yugoslavia. In addition, Croatia is stepping up its military preparations in order to re-launch large-scale military operations against the UNPAs. By constant provocations and amassing its military equipment, Croatia is unilaterally breaching the agreement that it reached with the Federal Republic of Yugoslavia on the demilitarization of the Prevlaka peninsula, with the obvious aim of dragging the Federal Republic of Yugoslavia into the war, thus dangerously threatening peace and security in the whole region.

By employing such unfounded allegations, Croatia obviously wishes to discredit the constructive role of the Federal Republic of Yugoslavia in the search for a lasting, just and comprehensive peaceful settlement to the crisis in the territories of the former Yugoslavia. Such attempts by Croatia fit the regular pattern it has always resorted to on the eve of important events and adoption of major decisions by the Security Council. This time it coincided with the activities of the Security Council concerning the resolution on the extension of the partial suspension of the sanctions against the Federal Republic of Yugoslavia.

The Government of the Federal Republic of Yugoslavia once again categorically rejects all absurd allegations contained in the letter from Mr. Granić that the Federal Republic of Yugoslavia has been allowing shipments of military equipment across its border.



In its clear-cut conclusions contained in its reports, the Mission of the International Conference on the Former Yugoslavia has repeatedly confirmed that the Federal Republic of Yugoslavia is complying fully with its own commitment to close the border with the Republic of Srpska except for humanitarian assistance, foodstuffs and clothing. By levelling false charges against the Federal Republic of Yugoslavia, Croatia, together with some other countries, obviously questions the credibility of the 18-country Mission of the International Conference on the Former Yugoslavia, in an attempt to exert pressure on the Security Council not to extend the suspension of the sanctions.

The Government of the Federal Republic of Yugoslavia would like to draw the attention of the Security Council to the regular military activities of the Croatian regular army which are in direct contravention not only with the peace efforts of the international community but also with the relevant Security Council resolutions. The tolerant approach of the Security Council towards such activities on the part of Croatia threatens to jeopardize the ongoing peace efforts and the past achievements.

Since 1992, around 8,000 Croatian regular troops (four brigades: the 115th, 116th, 156th and 163rd) have been engaged on a regular basis in the area of eastern Herzegovina. Since the beginning of this year, an additional three brigades of the Croatian army (4th, 7th and 126th), totalling around 3,000 soldiers, have been deployed in military operations in the area of Livno and Grahovo. Consequently, the Croatian army is, at the moment, engaged in offensive operations with seven brigades totalling 11,000 soldiers, 30 tanks, 20 armoured vehicles and 40 artillery pieces.

Parallel with the military engagement of its troops, the Government of Croatia constantly supplies the Bosnian Croat army (HVO) with military equipment. HVO itself has about 50,000 soldiers, 60 tanks, 70 armoured personnel carriers and around 500 artillery pieces of varying calibres. The HVO units have been organized in 42 brigades concentrated in four areas - Grude, Tomislavgrad, Vitez and Orasje.

The Croatian regular army forces together with HVO and Muslim forces are currently waging offensive operations against the army of the Republic of Srpska in the regions of Grahovo, Glamoc and in the Kupres-Sipovo direction. Assisted by HVO troops, the Croatian army occasionally targets the positions of the Republic of Srpska army from the Orasje bridgehead and in the Stolac-Nevesinje direction.

From the area of Bosansko Grahovo and Glamoc and across Mt. Dinara, that is, from the territory of Bosnia and Herzegovina, as well as from the Drnis direction, the Croatian army frequently makes incursions in the areas of the Republic of Serb Krajina which are under United Nations protection. According to the latest United Nations reports, Croatian forces deeply penetrated into the UNPAs, 20 kilometres from Knin.

The above-mentioned activities of the Croatian regular army are striking examples of Croatia's flagrant violations of Security Council resolutions 752 (1992), 757 (1992) and 787 (1992), as well as 713 (1991) on the arms embargo.

As a result of the failure to take effective measures to prevent arms embargo violations by Croatia and some other countries, Bosnia and Herzegovina is replete with arms, which certainly cannot contribute to ending the war or restoration of peace, but rather to feeding the military ambitions of the extremists on all sides.

Instead of tolerating further such Croatian activities, the Security Council has to respond appropriately and take urgent and effective measures in order to prevent further violations of its own resolutions and erosion of its own credibility.

The Government of the Federal Republic of Yugoslavia urges the Security Council to take adequate steps without delay in order to ensure Croatia's full compliance with the relevant resolutions, thus creating conditions for their strict implementation. Should the further lenient attitude of the Security Council towards Croatia's flagrant violations of its resolutions and its turning of a blind eye towards the engagement of the Croatian army in the civil war in Bosnia and Herzegovina continue, it could encourage other countries to follow suit. That would certainly take us even further from the peace settlement and could have unforeseeable consequences for the region as a whole.

I should be grateful if you would have the present letter circulated as an official document of the Security Council.

(Signed) Dragomir DJOKIĆ
Ambassador
Chargé d'affaires a.i.



Security Council

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GENERAL

S/1995/327
24 April 1995

ORIGINAL: ENGLISH

LETTER DATED 24 APRIL 1995 FROM THE PERMANENT REPRESENTATIVE OF
BOSNIA AND HERZEGOVINA TO THE UNITED NATIONS ADDRESSED TO THE
PRESIDENT OF THE SECURITY COUNCIL

I have the honour to present to you the attached letter, dated
24 April 1995, from my President addressed to you.

May I ask for your kind assistance in circulating the present letter and
its annex as a document of the Security Council.

(Signed) Muhamed SACIRBEY
Ambassador
Permanent Representative



Annex

Letter dated 24 April 1994 from the President of the Republic of
Bosnia and Herzegovina addressed to the President of the
Security Council

Recently, the entire international community has witnessed the arbitrary and unlawful way in which the Serbian aggressor has acted with respect to control over Sarajevo airport. Specifically, three extremely serious incidents have occurred in only the past few days.

First, a week ago, members from the international community Contact Group were denied access to Sarajevo. Secondly, the Ambassador of the United States of America to the Republic of Bosnia and Herzegovina was prevented from leaving Sarajevo via a United Nations flight, and lastly, on 21 April, four American and German diplomats were forbidden to go from the airport to the city.

These and similar actions taken by the Serbian aggressor continue to violate the international political arrangements with regard to the airport functionality as well as to humiliate the United Nations forces in such a fashion that they absolutely require determined action from the Security Council to rectify the matter.

The de facto establishment of Serbian authority over the airport of Sarajevo represents a blatant violation of Security Council resolution 761 (1992) of 29 June 1992, and, on the basis of that resolution, the agreement made by which the United Nations Protection Force (UNPROFOR) was granted the exclusive right and mandate to manage the airport.

In addition, Security Council resolution 900 (1994) of 4 March 1994 has been made ineffectual, as the strangulation of Sarajevo is worse today than ever before.

The warring Serbs under Karadzic are obviously encouraged to commit their actions due to the passivity of UNPROFOR command as well as that of the United Nations administration.

We therefore demand that the Security Council examine and take into urgent consideration the aforementioned facts and move without delay to ensure strict adherence to and respect for the above-mentioned resolutions, in particular on the part of the military and civilian elements of the United Nations hierarchy.

The ever-increasing tension in and around Sarajevo and the operationalized threats from the Serbian aggressor that they will completely close the airport, the facts of which you are no doubt aware of, strengthen us in the hope that you will undertake the adequate and necessary steps in answering the seriousness of the situation.

(Signed) Alija IZETBEGOVIC
President of the Republic of
Bosnia and Herzegovina



Security Council

Distr.
GENERALS/1995/328
25 April 1995
ENGLISH
ORIGINAL: FRENCHNOTE VERBALE DATED 25 APRIL 1995 FROM THE PERMANENT REPRESENTATIVE
OF HAITI TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE
SECURITY COUNCIL

The Permanent Representative of Haiti to the United Nations presents his compliments to the President of the Security Council and has the honour to transmit to him herewith the reactions of the Government of the Republic of Haiti to his statement of 24 April 1995:

(a) The Government of the Republic of Haiti is deeply committed to peace and stability in the country;

(b) The Haitian people have long aspired to live in a climate of peace and stability. They have demonstrated and are still demonstrating their spirit of cooperation with the troops of the United Nations Mission in Haiti (UNMIH) in order to establish such a climate, which alone can promote the economic and social development that is so sought after;

(c) The Government has long been committed to organizing free, democratic and honest elections. It has taken steps to guarantee maximum participation on the part of the electorate and to involve all parties in the electoral process. It listens to the views of the people and the political parties in order to make adjustments, as necessary, for enhancing the credibility of the elections at both the local and the international level;

(d) The Haitian Government has sought the cooperation of all bodies capable of contributing to the complete success of the elections. It calls upon the observers of different countries and organizations to join it in its efforts to ensure transparency;

(e) The Haitian Government is counting on the success of these elections in order to make the process of restoring democracy begun on 15 October 1994 with the return of President Jean-Bertrand Aristide irreversible. It is highly imbued with a sense of its historic responsibilities and is therefore taking initiatives which should leave no doubt as to either its intentions or its actions. The dates for holding the elections will be in accordance with the timetable as planned.



The Permanent Representative of Haiti to the United Nations would be grateful to the President of the Security Council if he would arrange to have this text distributed as a document of the Security Council.



Security Council

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GENERAL

S/1995/329
25 April 1995

ORIGINAL: ENGLISH

LETTER DATED 25 APRIL 1995 FROM THE PERMANENT REPRESENTATIVES
OF GERMANY AND THE UNITED STATES OF AMERICA TO THE UNITED
NATIONS ADDRESSED TO THE SECRETARY-GENERAL

On instruction from our Governments, we wish to express profound concern regarding the statement of 21 April by the Bosnian Serb liaison officer at the Sarajevo airport that his authorities would neither guarantee the safety of United Nations aircraft if German and United States Contact Group members proceeded to Sarajevo for meetings with the Bosnian Government nor their safety for the transfer from Sarajevo airport into the city.

Our Governments are equally concerned by recent statements of Bosnian Serb leader Karadzic that he may impose conditions on the use of the Sarajevo airport by diplomatic delegations.

Our Governments believe that these threats must be rejected in the strongest terms. To do otherwise would allow the Bosnian Serbs to restrict access to an airport which is under the control of the United Nations and thereby interfere with Contact Group and other diplomatic efforts to achieve a peaceful diplomatic solution.

We therefore support the position of the United Nations Protection Force (UNPROFOR) that recent actions by the Bosnian Serbs to obstruct the normal functioning of the airport are totally unacceptable.

We request that you keep the Council informed of developments related to this issue so that further action can be taken if necessary.

We would be grateful if you would have the present letter circulated as a document of the Security Council.

(Signed) Detlev GRAF ZU RANTZAU
Ambassador
Permanent Representative of the
Federal Republic of Germany
to the United Nations

(Signed) Madeleine ALBRIGHT
Ambassador
Permanent Representative of the
United States of America
to the United Nations



Security Council

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S/1995/330
25 April 1995
ENGLISH
ORIGINAL: ARABIC

LETTER DATED 25 APRIL 1995 FROM THE PERMANENT REPRESENTATIVE OF THE
SUDAN TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

In my capacity as Chairman of the Arab Group for April 1995, I have the honour to enclose herewith a copy of resolution No. 5473 adopted by the 103rd session of the Council of the League of Arab States on 29 March 1995, entitled "The Situation in Somalia".

I should be grateful if you would have this letter and its annex circulated as a document of the Security Council.

(Signed) Ali Mohamed Osman YASSIN
Ambassador
Permanent Representative of the
Republic of Sudan to the United Nations
Chairman of the Arab Group



Annex

The situation in Somalia

The Council of the League,

Having considered the note of the General Secretariat, and the recommendation of the Council of Humanitarian Affairs,

Having studied the development of the situation in Somalia in the light of the report by the League delegation which visited Somalia from 16 to 26 December 1994,

Expressing its appreciation of the continuing efforts made by the Secretary-General to contribute to bringing peace to Somalia,

Taking into consideration the commendable efforts made by the international community, especially the United Nations and Member States to provide humanitarian assistance, and their continued readiness to participate in the reconstruction and development of Somalia as soon as security and stability have been established,

Confirming that the preparation of a secure and suitable climate for the continuation of humanitarian activities depends upon the cooperation of the Somali parties, the security they provide and their refraining from exploiting the security vacuum left by the withdrawal from Somalia of the international forces in March 1995,

Expressing its deep concern at the lack of progress made by the peace process or towards national reconciliation in Somalia,

Reaffirming that the Somali people have primary and ultimate responsibility for bringing about national reconciliation and securing peace in Somalia,

Decides:

1. To urge all factions to halt all acts of violence and work towards the formation of an interim government of national unity, considering that the responsibility for bringing peace to Somalia rests primarily on the Somalis themselves, and that any regional or international efforts can only assist in achieving that end.

2. To instruct the Secretary-General to continue holding whatever consultations he deems necessary with the United Nations, the international organizations concerned and all the Somali parties in order to assist in bringing about a political solution which will guarantee the integrity of our sister country Somalia and security and stability for its people.

3. To call upon the international community to continue to provide the Somali people with humanitarian relief, and to help them to rebuild their country once security and stability has been established in all parts of Somalia.

4. To request Member States, relevant ministerial councils, specialized Arab organizations and interested Arab funds and associations to continue to provide material and humanitarian assistance to the Somali people.

5. To urge Member States to move quickly to transfer their material assistance to the special account to support Somalia opened by the General Secretariat in accordance with League Council resolution No. 5157, in order to enable the General Secretariat to carry out its humanitarian and political roles with reference to the Somali people.

6. To reaffirm its previous resolutions concerning the situation in Somalia, thanking the Secretary-General and his assistants for the efforts they have made in this regard, and instruct the Secretary-General to continue his efforts and to present a report on the situation in Somalia to the Council at its forthcoming session.

(Q. No. 5463 - D.A. (103) - J3 - 29 March 1995)



Security Council

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GENERAL

S/1995/331
26 April 1995

ORIGINAL: ENGLISH

LETTER DATED 26 APRIL 1995 FROM THE SECRETARY-GENERAL
ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I should like to refer to paragraph 3 of Security Council resolution 968 (1994) and to the letter to me from the President of the Council dated 6 March 1995 (S/1995/180) by which the Council endorsed my recommendation concerning the continuation of the United Nations Mission of Observers in Tajikistan (UNMOT) presence in Tajikistan until 26 April 1995.

My Special Envoy for Tajikistan, Ramiro Piriz-Ballon, is continuing inter-Tajik high-level negotiations, which began in Moscow on 19 April 1995. The parties are currently considering a draft final document relating to the extension of the cease-fire, and the agenda, time and venue of a fourth round of inter-Tajik talks. At this time, the outcome remains uncertain.

As we await further developments, I should like to recommend that UNMOT continue to function, in accordance with its mandate, until the Council has had an opportunity to review my report on the situation in Tajikistan, pursuant to paragraph 4 of Security Council resolution 968 (1994). This report will be submitted for the Council's consideration shortly after the return to Headquarters of my Special Envoy.

(Signed) Boutros BOUTROS-GHALI



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S/1995/332
26 April 1995

ORIGINAL: ENGLISH

LETTER DATED 26 APRIL 1995 FROM THE PRESIDENT OF THE
SECURITY COUNCIL ADDRESSED TO THE SECRETARY-GENERAL

I have the honour to inform you that your letter dated 26 April (S/1995/331) has been brought to the attention of the members of the Security Council.

The members of the Council are deeply concerned about the insufficient progress at the Moscow talks held under the auspices of your Special Envoy and the continuing military activities on the Tajik-Afghan border. The members of the Council call upon the parties and others concerned to resolve urgently the outstanding questions with regard to extending the cease-fire and arranging a fourth round of talks. They stress once again that the primary responsibility for resolving their differences rests with the Tajik parties themselves. They urge the parties to comply strictly with the obligations they have assumed under the cease-fire agreement of 17 September 1994.

In keeping with the provisions of resolution 968 (1994), the members of the Council note that an effective cease-fire was, and continues to be, a necessary condition for the deployment of the United Nations Mission of Observers in Tajikistan (UNMOT).

The members of the Council agree that, pending a further decision of the Council based on consideration of your forthcoming report, UNMOT shall continue its presence in Tajikistan.

(Signed) Karel KOVANDA
President of the Security Council

